

ARNOLD & PORTER LLP  
MAURICE A. LEITER (State Bar No. 123732)  
maury.leiter@aporter.com  
777 South Figueroa Street, 44th Floor  
Los Angeles, California 90017-5844  
Telephone: +1 213.243.4000  
Facsimile: +1 213.243.4199

ARNOLD & PORTER LLP  
MICHAEL J. BAKER (State Bar No. 56492)  
michael.baker@aporter.com  
SHARON D. MAYO (State Bar No. 150469)  
sharon.mayo@aporter.com  
JEREMY M. MCLAUGHLIN (State Bar No. 258644)  
jeremy.mclaughlin@aporter.com  
Three Embarcadero Center, 10th Floor  
San Francisco, California 94111-4024  
Telephone: +1 415.471.3100  
Facsimile: +1 415.471.3400

*Attorneys for Defendant Bristol-Myers Squibb Company*

[Additional Counsel Listed At Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MICHAEL DIERCKS *et al.*,  
  
Plaintiff,

v.

BRISTOL-MYERS SQUIBB COMPANY,  
MCKESSON CORPORATION, and  
DOES 1 to 100,

Defendants.

No. 14-0572 JST

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER TO STAY  
LITIGATION PENDING TRANSFER TO  
THE PLAVIX® MDL**

Judge: Hon. Jon S. Tigar

1 This Joint Stipulation is made by and between Plaintiffs in *Diercks et al. v. Bristol-Myers*  
2 *Squibb Co. et al.*, No. CV-14-0572 JST (N.D. Cal.), and Defendant Bristol-Myers Squibb Company  
3 (“BMS”) (collectively “the Parties”), by and through the undersigned counsel of record, with  
4 reference to the following facts:

5 1. WHEREAS, on February 12, 2013, the Judicial Panel on Multidistrict Litigation  
6 (“JPML”) established a multidistrict Plavix® litigation in the District of New Jersey, assigned to  
7 Judge Freda Wolfson;

8 2. WHEREAS, on February 4, 2014, Plaintiffs filed the *Diercks* action in the Superior  
9 Court of California, San Francisco County;

10 3. WHEREAS, on February 6, 2014, the *Diercks* action was removed to this Court by  
11 Defendant BMS;

12 4. WHEREAS, on February 12, 2014, Defendant BMS tagged this case for transfer to  
13 the Plavix® MDL and anticipates that the JPML will issue a conditional transfer order for this case  
14 soon; and

15 5. WHEREAS, the parties agree that the *Diercks* action should be stayed pending its  
16 anticipated transfer to the Plavix® MDL in the District of New Jersey.

17  
18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court’s  
19 approval, that the *Diercks* action should be stayed pending its anticipated transfer to the Plavix®  
20 MDL in the District of New Jersey.

21  
22 **IT IS SO STIPULATED.**  
23  
24  
25  
26  
27  
28

1  
2 Dated: February 13, 2014

Joshua C. Ezrin  
AUDET & PARTNERS, LLP  
221 Main Street, Suite 1460  
San Francisco, CA 94105

3  
4  
5 By: /s/ Joshua C. Ezrin  
Joshua C. Ezrin

6  
7 *Attorney for Plaintiffs*

8  
9 Dated: February 13, 2014

ARNOLD & PORTER LLP  
Three Embarcadero Center, 10th Floor  
San Francisco, CA 94111

10  
11  
12 By: /s/ Jeremy M. McLaughlin  
JEREMY M. McLAUGHLIN

13  
14 *Attorney for Defendant*  
*Bristol-Myers Squibb Company*

15  
16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

17  
18  
19 Date: February 14, 2014

